

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

THE PENSION COMMITTEE OF THE  
UNIVERSITY OF MONTREAL PENSION  
PLAN, *et al.*,

Plaintiffs,

- against -

BANC OF AMERICA SECURITIES, LLC, CITCO FUND SERVICES (CURACAO) N.V., THE CITCO GROUP LIMITED, INTERNATIONAL FUND SERVICES (IRELAND) LIMITED, PRICEWATERHOUSECOOPERS (NETHERLANDS ANTILLES), JOHN W. BENDALL, JR., RICHARD GEIST, ANTHONY J. STOCKS, KIERAN CONROY, and DECLAN QUILLIGAN,

Defendants.

1:05-CV-09016 (SAS) (FM)

ECF Case

**NOTICE OF MOTION IN LIMINE OF DEFENDANTS CITCO FUND  
SERVICES (CURACAO), N.V., THE CITCO GROUP LIMITED, KIERAN CONROY,  
AND DECLAN QUILLIGAN TO EXCLUDE CERTAIN  
EVIDENCE BASED ON THE DOCTRINE OF JUDICIAL ESTOPPEL**

PLEASE TAKE NOTICE that, upon the Memorandum of Law of Defendants Citco Fund Services (Curacao), N.V., The Citco Group Limited, Kieran Conroy, and Declan Quilligan (the “Citco Defendants”) in Support of their Motion in Limine to Exclude Certain Evidence Based on the Doctrine of Judicial Estoppel dated February 8, 2010, the Citco Defendants, by their undersigned counsel, will move this Court before the Honorable Shira A. Scheindlin, at the United States Courthouse, 500 Pearl Street, Courtroom 15C, New York, New York, 10007, for the entry of an Order granting the motion in limine, and such other relief as this Court may deem just and proper.

Dated: February 8, 2010

Respectfully submitted,

By /s/ Terence M. Mullen  
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